

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In re:) Chapter 7
P.M.B. HYDRA-SCREW, INC.,) Case No. 08-04957
Debtor.) Judge Wedoff

NOTICE OF MOTION

TO: ATTACHED SERVICE LIST:

PLEASE TAKE NOTICE that on April 22, 2009 at 9:30 a.m. or as soon thereafter as counsel can be heard, I shall appear before the Honorable Eugene R. Wedoff, Bankruptcy Judge, in the room usually occupied by him as courtroom #744 in the United States Bankruptcy Court in the Everett McKinley Dirksen Federal Building, 219 South Dearborn Street, Chicago, Illinois, or before any other Judge who may be sitting in his place and stead and shall present the **Motion of Crane, Heyman, Simon, Welch & Clar for Allowance of Final Compensation and Reimbursement of Expenses**, a copy of which Motion is attached hereto and herewith served upon you, and shall pray for the entry of an Order in compliance therewith.

AT WHICH TIME and place you may appear if you so see fit.

/s/Eugene Crane
Crane, Heyman, Simon, Welch & Clar
135 S. LaSalle St., Suite 3705
Chicago, Illinois 60603
(312) 641-6777

CERTIFICATE OF SERVICE

The undersigned, being first duly sworn on oath deposes and states that he caused a copy of the foregoing Notice and attached **Motion of Crane, Heyman, Simon, Welch & Clar for Allowance of Final Compensation and Reimbursement of Expenses**, to be served by first class mail, postage prepaid, to the names and addresses listed on the attached Service List on the 30th day of March, 2009, before the hour of 5:00 p.m.

/s/Eugene Crane

SERVICE LIST

Roman Sukley
United State Trustee
219 S. Dearborn St., Ste. 873
Chicago, IL 60604

Scott N. Schreiber
Stahl Cowen Crowley, LLC
55 W. Monroe St, Ste. 1200
Chicago, IL 60603

Charles J. Myler
Myler Ruddy & McTavish
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Aurora, IL 60505

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Barrington, IL 60010

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P.M.B. Hydra-Screw Inc.
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Elgin, IL 60123
Attn.: Carl Malone

James D. Newbold, Asst. A.G.
Revenue Litigation Bureau
Illinois Attorney General
100 W. Randolph St., 13th Fl.
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Gregory J. Stull
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Chief Unemployment Insurance Bureau
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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In re:) Chapter 7
P.M.B. HYDRA-SCREW, INC.,) Case No. 08-04957
Debtor.) Judge Wedoff

**COVER SHEET FOR APPLICATION
FOR PROFESSIONAL COMPENSATION**

Name of Applicant: **Crane, Heyman, Simon, Welch & Clar**

Authorized to Provide Professional Services to: **Debtor**

Date of Order Authorizing Employment: **March 25, 2008 effective as of March 3, 2008**

Period for which compensation is sought: **1/18/08through 10/28/08**

Amount of fees sought: **\$62,379.00**

Amount of expense reimbursement sought: **\$1,773.82**

This is a: **Final Motion**

If this is not the first application filed herein by this professional, disclose as to all prior fee applications:

<u>Date Filed</u>	<u>Period Covered</u>	Total	Any Amount Ordered <u>Withheld</u>
		Requested <u>Fees and Expenses</u>	
		\$	0

Not applicable

The aggregated amount of fees and expenses paid to the Applicant to date for services rendered and expenses incurred herein is \$36,000.00, pre-petition retainers.

Date: **March 30, 2009** Applicant: **CRANE, HEYMAN, SIMON, WELCH & CLAR**

By:/s/Eugene Crane

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
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In re:) Chapter 7
P.M.B., HYDRA-SCREW, INC.,) Case No. 08-04957
Debtor.) Judge Wedoff

**MOTION OF THE LAW FIRM OF CRANE, HEYMAN, SIMON, WELCH & CLAR AS
DEBTOR'S COUNSEL, FOR ALLOWANCE OF
FINAL COMPENSATION AND REIMBURSEMENT OF EXPENSES**

To the Honorable Eugene R. Wedoff, Bankruptcy Judge:

Now come Eugene Crane, Arthur G. Simon, Scott R. Clar, and the law firm of Crane, Heyman, Simon, Welch & Clar (collectively "CHSWC"), former counsel for the Debtor, P.M.B. Hydra-Screw, Inc. ("Debtor"), and for their Motion pursuant to Section 330 of the Bankruptcy Code for Allowance of Final Compensation and Reimbursement of Expenses, respectfully states as follows:

INTRODUCTION

1. On March 3, 2008, this Court entered an Order for Relief in the above-captioned matter pursuant to a voluntary petition under Chapter 11 of the United States Bankruptcy Code. On October 28, 2008, this Court entered an order converting this matter to a Chapter 7 case. Charles J. Myler is the duly appointed and acting Trustee in this case.

2. The Debtor is an Illinois corporation that was engaged in the business of fabricating metal parts, operating from the premises commonly known as 400A Airport Road, Elgin Illinois 60123.

3. On or about March 5, 2008, the Debtor presented its motion to employ CHSWC as the Debtor's bankruptcy counsel, and on March 25, 2008 an order was entered by this Court granting the motion to employ CHSWC as of March 3, 2008. CHSWC received pre-petition retainers totaling \$36,000.00. On November 26, 2008, this Court entered an order authorizing CHSWC to withdraw as Debtor's bankruptcy counsel.

4. By this motion, CHSWC seeks allowance of final compensation and reimbursement of expenses to CHSWC in the amounts of \$62,379.00 and \$1,773.82, respectively, for the period commencing January 18, 2008 through and including October 28, 2008.

CHSWC BIOGRAPHICAL INFORMATION

5. CHSWC is a law firm whose practice is almost exclusively concentrated in the fields of bankruptcy, insolvency and commercial matters. The firm is comprised of six (6) members, all of whom have significant experience and expertise in the law firm's area of concentration. The following is certain biographical information pertaining to the members of the law firm who have rendered significant services in the Debtor's case.

EUGENE CRANE

Eugene Crane is a member of the law firm of Crane, Heyman, Simon, Welch & Clar and has been practicing law since 1954. Mr. Crane is admitted to practice law in the state courts of Illinois, in the United States Supreme Court, in the United States Court of Appeals for the Seventh Circuit, and in the United States District Courts for the Northern District of Illinois, the Eastern District of Wisconsin and the Northern District of Indiana. He is also a member of the Federal Trial Bar.

Mr. Crane has represented debtors and creditors in reorganization and bankruptcy proceedings in and out of court. His experience in developing plans of reorganization, litigating claims, cash collateral orders, and contested actions in Chapter 11 and Chapter 7 cases has resulted in successful business and personal recovery.

His practice has always been primarily concentrated in the areas of bankruptcy, insolvency and reorganization. He has written extensively for the Illinois Institute of Continuing Legal Education and the Illinois State Bar Association, as well as other legal associations. He has been an instructor in bankruptcy skills courses for the Illinois Institute of Continuing Legal Education as well as a frequent lecturer at seminars given by the Chicago Bar Association, the Illinois State Bar Association, the National Association of Bankruptcy Trustees, the Matrimonial

Lawyers Association, the North Suburban Bar Association and various commercial groups.

Mr. Crane is a member of the Panel of Trustees for the Northern District of Illinois and has acted as bankruptcy trustee in thousands of cases. He is a former Chairman for the Trustee's Advisory Council in the Northern District of Illinois and a former Chairman of the Committee on Bankruptcy and Reorganization for the Chicago Bar Association. He has served as Chairman of the Bankruptcy Mediation Panel Subcommittee of the Chicago Bar Association. He has also served on the Committee on Professional Conduct of the Illinois State Bar Association and on the Committee of Professional Responsibility of the Chicago Bar Association. He is a former member of the Board of Directors and past President of the National Association of Bankruptcy Trustees.

Mr. Crane received training in negotiations and mediation at Harvard University Law School and has been involved in the development of a mediation panel for the Bankruptcy Court for the Northern District of Illinois. Mr. Crane has been appointed as a Special Commissioner by the United States District Court and has been appointed as a Receiver by the Circuit Court of Cook County, Illinois and the United States District Court. He was selected as a Laureate in The Academy of Lawyers of the Illinois Bar Association.

ARTHUR G. SIMON

Arthur G. Simon is a member of the law firm of Crane, Heyman, Simon, Welch & Clar, has been practicing law in the State of Illinois since 1979 when he graduated from the Loyola University of Chicago, School of Law and is a member of the Federal Trial Bar. Beginning in 1981, he became engaged almost exclusively in the practice of bankruptcy and insolvency litigation and has represented virtually every type of party in such matters, including Chapter 7 and Chapter 11 debtors, secured creditors, landlords, trustees, and creditors' committees. His activities have included membership in the Chicago Bar Association Committee on Bankruptcy and Reorganization. He has served as the Editor of the Advance Sheets provided by said

Committee. In that capacity, he reported the rulings and opinions of the Bankruptcy Judges in the Northern District of Illinois to the Bankruptcy Committee members of the Chicago Bar Association. He served for several years on the Commercial, Banking and Bankruptcy Section Council of the Illinois State Bar Association for whom he has published several articles, and also served on the General Assembly of that Association.

SCOTT R. CLAR

Scott R. Clar is a member of the law firm of Crane, Heyman, Simon, Welch & Clar, and has been a practicing attorney in the State of Illinois since 1982. He has been primarily responsible for the representation of the Debtor in this case. From January, 1985, through September, 1986, he was employed as a staff attorney with the United States Trustee's Office in the Northern District of Illinois, where he administered over 200 Chapter 11 cases, as well as supervised Chapter 7 panel trustees. From September, 1986, through December, 1987, he was employed by the law firm of Adelman & Gettleman, Ltd., where he continued to practice in the areas of bankruptcy and insolvency related matters. In January 1988, he became associated with Dannen, Crane, Heyman & Simon, predecessor to CHSWC, and became a partner in 1994. His practice is concentrated in the field of bankruptcy, having represented Chapter 7 and Chapter 11 debtors, trustees, unsecured creditors' committees and various creditors. Mr. Clar has been a panel member and a moderator for several bar association-sponsored bankruptcy seminars. He is a member of the Federal Trial Bar. He is a former Chairman of the Chicago Bar Association Committee on Bankruptcy and Reorganization.

6. The hourly rates charged by CHSWC for legal services rendered in this bankruptcy case are as follows:

<u>Attorney</u>	<u>2008 Rate</u>
Eugene Crane ("EC")	\$450.00
Arthur G. Simon ("AGS")	\$405.00
Scott R. Clar ("SRC")	\$405.00

These hourly rates are the customary and usual rates which CHSWC charges clients on matters of

this nature.

7. The total time expended by CHSWC attorneys in connection with this case during the period commencing January 18, 2008 through and including October 28, 2008 is 141.3 hours as follows:

<u>Attorney</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Eugene Crane ("EC")	23.60	\$450.00	\$10,620.00
Arthur G. Simon ("AGS")	57.3	\$405.00	\$23,206.50
Scott R. Clar ("SRC")	<u>60.4</u>	\$405.00	<u>\$28,552.50</u>
Total: 141.3			\$62,379.00

LEGAL SERVICES RENDERED

8. The legal services rendered by CHSWC from January 18, 2008 through and including October 28, 2008, as more fully described in Exhibits A through C, have been divided into the following categories:

A. GENERAL ADMINISTRATION

The legal services rendered in this category include the preparation of schedules, statement of financial affairs, Motion to be employed, and related motions with respect to administration of the case, including review of operating reports, and other administrative matters.

Total Time Expended: 39.50 hours

<u>Attorney</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Eugene Crane ("EC")	15.50	\$450.00	\$6,975.00
Arthur G. Simon ("AGS")	10.60	\$405.00	\$4,293.00
Scott R. Clar ("SRC")	<u>13.40</u>	\$405.00	<u>\$5,427.00</u>
Total: 39.50			\$16,695.00

Attached to this Motion as Exhibit "A" is an itemization of the legal services rendered in this category.

B. CASH COLLATERAL

The legal services rendered in this category relate to matters involving cash collateral of Pramco, Inc., including preparation of cash collateral

motion, review of budgets and negotiation and preparation of cash collateral orders.

Total Time Expended: 59.20 hours

<u>Attorney</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Eugene Crane ("EC")	4.00	\$450.00	\$1,800.00
Arthur G. Simon ("AGS")	21.60	\$405.00	\$8,748.00
Scott R. Clar ("SRC")	<u>33.60</u>	\$405.00	<u>\$13,608.00</u>
Total:		59.20	\$24,156.00

Attached to this Motion as Exhibit "B" is an itemization of the legal services rendered in this category.

C. **SALE**

The legal services rendered in this category relate to assisting the Debtor in obtaining a purchaser of its assets, and include review and revision of an asset purchase agreement, negotiations re: same, preparation of pleadings and appearances in court re: same, culminating in an order authorizing the sale of substantially all of the assets of the Debtor, which failed to close for lack of financing.

Total Time Expended: 52.70 hours

<u>Attorney</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Eugene Crane ("EC")	4.10	\$450.00	\$1,845.00
Arthur G. Simon ("AGS")	25.10	\$405.00	\$10,165.50
Scott R. Clar ("SRC")	<u>23.50</u>	\$405.00	<u>\$9,517.50</u>
Total:		52.70	\$21,528.00

Attached to this Motion as Exhibit "C" is an itemization of the legal services rendered in this category.

EXPENSES INCURRED

9. During the course of the representation of the Debtor, CHSWC has incurred necessary expenses for which reimbursement is sought. The total amount of these expenses for the period commencing January 18, 2008 through and including October 28, 2008 is \$1,773.82.

Attached to this motion as Exhibit "D" is an itemization of the expenses incurred.

CONCLUSION

10. Other than as provided in Section 504(b) of the Bankruptcy Code, CHSWC has not shared, or agreed to share, any compensation received as a result of this case with any person, firm or entity. No promises concerning compensation have been made to CHSWC by any person, firm or entity.

11. CHSWC asserts that the final compensation requested in this Motion is reasonable compensation for the actual and necessary legal services rendered, based upon the time, nature, extent and value of such legal services. CHSWC further asserts that the cost of legal services rendered for and on behalf of the Debtor is comparable to the cost of similar services in matters other than under the Bankruptcy Code.

12. CHSWC asserts that the expenses for which reimbursement is sought in this Motion are reasonable and were actual and necessary expenditures required in the representation of the Debtor in this case.

WHEREFORE, for the foregoing reasons, Eugene Crane, Arthur G. Simon, Scott R. Clar, and the law firm of Crane, Heyman, Simon, Welch & Clar, former counsel for the Debtor, prays for the entry of an order pursuant to Section 330 of the Bankruptcy Code, as follows:

- a) Allowing final compensation and reimbursement of expenses to CHSWC in the amounts of \$62,379.00 and \$1,773.82, respectively, for services provided from the period commencing January 18, 2008 through and including October 28, 2008; and
- b) Granting such other relief as may be just and equitable.

CRANE, HEYMAN, SIMON, WELCH & CLAR

By: /s/Eugene Crane

Former Attorneys for Debtor

Eugene Crane, Esq. (Atty. Reg. 0537039)
Arthur G. Simon, Esq. (Atty. Reg. #03124481)
Scott R. Clar, Esq. (Atty. Reg. #06183741)
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